

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>HILTON MINCY,</b>	:	<b>CIVIL ACTION NO. 1:05-CV-0292</b>
	:	
<b>Plaintiff</b>	:	<b>(Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>KENNETH G. CHMIELEWSKI, et al.,</b>	:	
	:	
<b>Defendants</b>	:	

**ORDER**

AND NOW, this 7th day of September , 2005, upon consideration of plaintiff's motion for entry of default judgment (Doc. 24), see FED. R. CIV. P. 55(a)(permitting entry of default judgment when a defendant "has failed to plead or otherwise defend"), and it appearing that the time for defendants to plead or otherwise defend has not yet expired, see FED. R. CIV. P. 33(d) ("A defendant [who], before being served with process, timely returns a waiver . . . is not required to serve an answer to the complaint until 60 days after [the request for waiver was sent]."); (see also Doc. 4(d) (defendants' waivers of service)), it is hereby ORDERED that the motion for entry of default judgment (Doc. 24) is DENIED.

S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge